

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**RITA BEARS,**

**Plaintiff,**

**v.**

**Civil Action No. 16-cv-10604-IT**

**CAROLYN W. COLVIN,**

**Defendant.**

**ORDER**

July 18, 2016

**TALWANI, D.J.**

For the reasons set forth below, the Court dismisses this action.

On March 28, 2016, this Court received a complaint from pro se litigant Rita Bears in which she seeks judicial review of the determination of the Commissioner of Social Security that she is not eligible for certain disability benefits.<sup>1</sup> On April 1, 2016, the Court issued an order directing the plaintiff to pay the \$400 filing fee or seek leave to proceed *in forma pauperis*. The Court warned her that failure to comply with the directive within twenty-one days could result in dismissal without prejudice. The time period for resolving the filing fee has expired without any response from the plaintiff.

Accordingly, this action is DISMISSED WITHOUT PREJUDICE for failure to pay the filing fee.

The dismissal is without prejudice to the plaintiff filing a motion to reopen within twenty-one days of the date of this order. The motion to reopen must be accompanied by payment for

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<sup>1</sup> The documents were forwarded to this Court from the Somerville District Court, in which Bears had erroneously filed her action.

the \$400 filing fee or a completed Application to Proceed in District Court without Prepaying Fees or Costs. The Clerk shall provide Bears with a copy of this form.

**SO ORDERED.**

/s/ Indira Talwani  
Indira Talwani  
United States District Judge